

PTO/SB/21 (09-04)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/887,853
Filing Date	June 21, 2001
First Named Inventor	HOUSTON, L. L.
Art Unit	1643
Examiner Name	CANELLA, Karen A.
Attorney Docket Number	PP000926.0106

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

- | | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form
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<input type="checkbox"/> Affidavits/declaration(s)
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Information Disclosure Statement Under CFR 1.97(c) (3 pages)
Check in the amount of \$180.00
Return Receipt Postcard (1 page) |
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Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 18-1648.
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Robins & Pasternak LLP		
Signature			
Printed name	Roberta L. Robins		
Date	5/12/06	Reg. No.	33,208

CERTIFICATE OF TRANSMISSION/MAILING

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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

L. L. HOUSTON

Serial No.: 09/887,853

Filing Date: June 21, 2001

Title: BIOSYNTHETIC BINDING PROTEINS
FOR IMMUNO-TARGETING

Examiner: Karen A. CANELLA

Group Art Unit: 1643

Confirmation No.: 9213

Customer No.: 20855

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of publication BA cited in the attached Form PTO/SB/08A is enclosed.
- ☐ No copy of the U.S. publications ____ listed on the attached Form PTO/SB/08A are being provided because the Office waives the requirement under 37 C.F.R. 1.98 (a) (2) (i) for submitting a copy of each cited U.S. patent and each U. S. patent application publication for all U.S. national patent applications filed after June 30, 2003.

- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. ____ to which the above-identified application claims priority under 35 U.S.C. §120.
- ☒ Publication(s) BA listed on the attached Form PTO/SB/08A was cited in a foreign search or examination report corresponding to EP application serial no. 04078206.2 and mailed on March 2, 2006.
- ☐ Enclosed is a copy of a non-English publication(s) _____. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) _____. English language publication ____ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) _____ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) _____ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. _____.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of:

- ☐ a final action under 37 C.F.R. § 1.113;
- ☒ a notice of allowance under 37 C.F.R. § 1.113; or
- ☐ an action that otherwise closes prosecution in this application.

In accordance with 37 C.F.R. § 1.97(c) also enclosed is:

- ☐ Fee under 37 C.F.R. § 1.17(p) in the amount of \$180.00; or
- ☒ Statement as specified in 37 C.F.R. § 1.97(e):
 - ☒ Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or

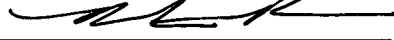
- [] No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

This Information Disclosure Statement under 37 CFR § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Respectfully submitted,

Date: May 12, 2006

By: 
Roberta L. Robins
Registration No. 33,208

CHIRON CORPORATION
Intellectual Property – R440
P.O. Box 8097
Emeryville, CA 9446-8097



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	09/887,853	
			Filing Date	June 21, 2001	
			First Named Inventor	HOUSTON, L. L.	
			Art Unit	1643	
			Examiner Name	CANELLA, Karen A.	
Sheet	1	of	1	Attorney Docket Number	PP000926.0106 (2300-0926.05)

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
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	BA	WO	93/21319	A	10-28-1993	Cetus Oncology		<input type="checkbox"/>
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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				<i>Application Number</i>	09/887,853
				<i>Filing Date</i>	June 21, 2001
				<i>First Named Inventor</i>	HOUSTON, L. L.
				<i>Art Unit</i>	1643
				<i>Examiner Name</i>	CANELLA, Karen A.
Sheet	2	of	2	<i>Attorney Docket Number</i>	PP000926.0106 (2300-0926.05)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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